

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
**FILED**

JUL 17 2013

*Shirley A. Johnson-Lopez*  
Clerk

\* \* \* \*

CHARLES RUSSELL RHINES,  
Petitioner,

vs.

DOUGLAS WEBER, Warden,  
South Dakota State  
Penitentiary,  
Respondent.

) ORDER DENYING MOTION FOR  
) CERTIFICATE OF PROBABLE CAUSE  
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)  
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#26673

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Petitioner having served and filed a motion for a  
certificate of probable cause to appeal from a final order entered by  
the trial court in the above-entitled habeas corpus proceeding on  
April 29, 2013, and respondent having served and filed a response  
thereto, and the Court having considered the motion and response and  
having determined that probable cause that an appealable issue exists  
has not been demonstrated, now, therefore, it is

ORDERED that the motion for a certificate of probable cause  
be and it is hereby denied.

DATED at Pierre, South Dakota, this 17th day of July, 2013.

BY THE COURT:

*David Gilbertson*

David Gilbertson, Chief Justice

ATTEST

*[Signature]*  
Clerk of the Supreme Court  
(SEAL)

(Justices John K. Konenkamp and Lori S. Wilbur disqualified.)

PARTICIPATING: Chief Justice David Gilbertson and Justices Steven L. Zinter,  
Glen A. Severson, Circuit Court Judge Scott P. Myren and  
Retired Justice Robert A. Miller.

